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PATENT & TRADEMARK OFFICE
IAP47

AMENDMENTS TO THE DRAWINGS

Please replace drawing sheets 1-6 containing Figures 1-6 with the attached drawing sheets containing Figures 1-6.

Attachment: Replacement Sheet(s)

REMARKS

Claims 1-30 are all the claims pending in the application.

Applicant thanks the Examiner for considering the reference cited with the Information Disclosure Statements filed October 16, 2003, and December 21, 2004. Applicant also thanks the Examiner for acknowledging the claim for foreign priority.

Information Disclosure Statement

The Examiner indicated in the Office Action that Applicant has indicated that Korean Patent Application 2000-7007449 within the Specification, but has not listed this in an IDS. However, Applicant notes that this application corresponds to Korean Publication 2001-033879, which was listed in the IDS submitted on October 16, 2003. The Examiner has also indicated that this reference has been considered.

Drawing Objections

The Examiner objected to Figures 1 and 2 alleging that they should be designated as "Prior Art" because only that which is old is illustrated. Additionally, the Examiner objected to the drawings for including reference characters not mentioned in the description. Applicant requests that the Examiner withdraw this objection in view of the replacement drawings submitted herewith.

Specification Objections

The Examiner objected to the Specification for various informalities. Applicant requests that the Examiner withdraw this objection in view of the present Amendment to the Specification.

Claim Objections

The Examiner objected to claim 1 for various informalities. Applicant submits that the present Amendment to claim 1 obviates this objection.

Claim Rejections - 35 U.S.C. § 112, Second Paragraph

The Examiner rejected claims 2, 6, 7, 9, 10, 13, 18, 24, 26 and 29 as being indefinite for failing to particularly point out and distinctly claim the subject matter which the application regards as the invention.

Regarding claims 2, 10, 18 and 26, the Examiner rejected these claims as containing trade names or trademarks UPNP and JINI. The Examiner alleges that the claims scope is uncertain since the trademark or trade name cannot be used to identify any particular material or product. Regarding claims 6, 7, 9, 13 24 and 29, the Examiner alleges these claims have an improper antecedent basis. Applicant requests that the Examiner withdraw this rejection in view of the self-explanatory amendments submitted herewith.

Claim Rejections - 35 U.S.C. § 102(b)

The Examiner rejected claims 1, 2, 4-10, 12-18, 20-22, 24-26, 28 and 29 as being anticipated by Moonen et al. (WO 02/09350). Applicant traverses this rejection for the reasons set forth below.

Independent claim 1

Claim 1 recites, *inter alia*, an application server performing the installation and management of applications for the plurality of controlled devices by using a framework capable for providing integrated support to a variety of home middleware.

The Examiner alleges that this feature is disclosed by Figure 1, element 118 and on page 5, lines 26-28. However, in contrast to the Examiner's assertion, Applicant submits that neither the portion cited by the Examiner nor any other portion of Moonen disclose an application server performing the installation and management of applications for the plurality of controlled devices.

In particular, the portion cited by the Examiner discloses a bridge 118, which contains software components 120 including translation modules that permit the interaction between devices that comply with a first software architecture and devices that comply with a second software architecture. (p. 5, lines 8-16). The bridge 118 also includes a software component 122 that handles the installation of software components needed to integrate devices into a system.

However, neither the software components 120 and 122, which comprise translation modules and installation modules, constitute applications for a plurality of controlled devices. To the contrary, these software components are merely system components that permit linking between disparate applications. No portion of Moonen discloses that these software components 120 and 122 are related to applications for the controlled devices.

Thus, Applicant submits that claim 1 is allowable for at least this reason. Additionally, Applicant submits that claims 2-8 are allowable, at least because of their dependency.

Independent claim 9

Claim 9 recites, *inter alia*, one of the plurality of controlled devices controls the application server and performs installation and management of applications for the plurality of controlled devices.

As discussed above with regard to claim 1, Moonen fails to disclose any software components that are applications for the plurality of controlled devices. Specifically, Moonen merely discloses software components 120 and 122, which are not applications, but instead, system software components.

The Examiner also cites page 8, lines 16-22 to support this rejection. However, this portion of Moonen discusses a CP (control point), which after detecting a service it wishes to use, controls the service by sending SCP actions to the control server URL. Despite the Examiner's contention, this portion of Mooned fails to disclose where a controlled device controls an application server and performs installation and management of applications. In fact, Moonen fails to disclose any application server.

Thus, Applicant submits that claim 9 is allowable for at least this reason. Additionally, Applicant submits that claims 10-16 are allowable, at least because of their dependency.

Independent claim 17

Claim 17 recites, *inter alia*, installing the applications necessary for controlling the plurality of controlled devices by the application server. As discussed with regard to claim 1, no portion of Moonen discloses installing applications necessary for controlling the plurality of controlled devices by the application server. Additionally, as discussed above with regard to claim 9, Moonen fails to disclose an applications server.

Thus, Applicant submits that claim 17 is allowable for the same reasons set forth with regard to claim 1. Additionally, Applicant submits that claims 18-23 are allowable, at least because of their dependency from claim 17.

Independent claim 24

Claim 24 recites, *inter alia*, controlling the application server to install the application for the plurality of controlled devices, by the one of the plurality of controlled devices. As discussed above with regard to claim 1, Moonen fails to disclose installing an application by an application server. Additionally, Moonen fails to disclose, as argued above with regard to claim 9, controlling the application server to install an application by one of the controlled devices.

Thus, Applicant submits that claim 24 is allowable, at least for the reasons set forth above with regard to claims 1 and 9. Additionally, Applicant submits that claims 25-30 are allowable, at least because of their dependency from claim 24.

Claim Rejections - 35 U.S.C. § 103(a)

The Examiner rejected claims 3, 11, 19 and 27 as being unpatentable over Moonen in view of Elson et al. (US 2003/0014521). Applicant traverses this rejection for the following reason.

Applicant submits that because Elson, taken either alone or in combination with Moonen, fails to compensate for the above noted deficiencies of Moonen as applied to claims 1, 9, 17 and 24, that claims 3, 11 19 and 27 are allowable, at least because of their dependency.

Claim Rejections - 35 U.S.C. § 103(a)

The Examiner rejected claims 23 and 30 as unpatentable over Moonen in view of the Examiner's proffered obvious design modification.

Regarding claims 23 and 30, the Examiner concedes that Moonen fails to disclose the method comprising an application management step of stopping and deleting the application

installed in the application server. (Office Action, p. 20 and 21) In order to compensate for this deficiency, the Examiner alleges that it would have been obvious to one of ordinary skill in the art to incorporate a step of stopping and deleting the application installed in the application server since Moonen already incorporates the step of executing and updating the application installed in the application server. As a motivation, the Examiner alleges that one of skill would be motivated to incorporate a step of stopping and deleting the application installed in the application server in order to provide full application support for proper maintenance and maximum extensibility.

First, Applicant submits that the Examiner has failed to establish *prima facie* obviousness because the Examiner has provided no logical basis as to why stopping and deleting the application installed would or could even permit full application support for proper maintenance and maximum extensibility.

Second, even if modified as alleged by the Examiner, Moonen so modified fails to compensate for the above noted deficiencies of Moonen as applied to claims 17 and 24 above.

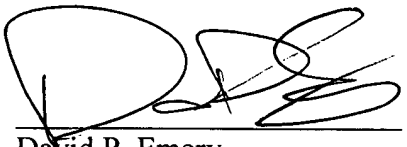
Thus, Applicant submits that claims 23 and 30 are allowable, at least because of their dependency.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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